

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

HPSCI Briefing on Agency Homosexual Policy

FROM:

Stanley Sporkin  
General Counsel

EXTENSION

NO.

DATE

19 August 1982

25X1

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDCI

23 AUG 1982

In response to your recent request, I have attached a copy of a memorandum for the record which describes the briefing of the HPSCI staff regarding the Agency's homosexual policy.

At this point, the issue appears to be defused.

Stanley Sporkin

Attachment: a/s

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OGC 82-07332

18 August 1982

MEMORANDUM FOR THE RECORD

FROM:

[REDACTED]

Assistant General Counsel

25X1

SUBJECT: HPSCI Briefing on Agency Homosexual Policy

1. On 16 August 1982, [REDACTED] (Legislative Liaison Division), [REDACTED] (Deputy Director of Security), and myself met with several staffers of the House Permanent Select Committee on Intelligence to brief them about the Agency's homosexual policy. Mike O'Neil was present at the outset of the briefing but left towards the end; however, Bernie Raimo and Ira Goldman remained throughout the session.

25X1

25X1

2. I opened the session by indicating that our policy was a case-by-case policy that took into account the recency of the activity, the repetition or continuation of the activity, the public or private nature of the activity, and any other pertinent facts concerning the activity in any given case. I also indicated that certain general considerations were taken into account. We were concerned with targeting and the fact that since Agency employees are targeted generally, because many hostile intelligence services regard homosexual conduct as indicative of a character defect, homosexual employees would be doubly targeted. This increased surveillance could easily compromise Agency personnel and activities. I also discussed the fact that a person engaging in homosexual conduct could be subject to coercion, undue influence, or outright blackmail, either directly, or indirectly by threats being made against the person's homosexual partners. Finally, I pointed out that homosexual activity was illegal in many domestic jurisdictions and in many foreign countries in which Agency personnel must serve. For a person to engage in homosexual activity in such circumstances would risk drawing attention to Agency personnel and activities if there were a homosexual police incident and moreover, a willingness to disregard the law and conventional social norms would necessarily call into question a person's trustworthiness and discretion.

DCI  
EXEC  
REG

3. I responded to various questions from the Committee staff until Mr. O'Neil queried as to why a lawyer was acting as a spokesman for the Agency in this matter rather than the Office of Security representative. I responded by indicating that due to the increasing incidence of litigation, lawyers were drawn more closely into the security process to assist security professionals in making their security judgments legally defensible in a court of law. However, I noted that [redacted] 25X1 had come for the purpose of answering any questions they might have for him. Whereupon the Committee staff questioned [redacted] 25X1 for a short period of time and appeared to be well satisfied with his answers about the technical aspects of our policy. The only question that gave us pause was a question by Mr. O'Neil as to whether or not the Agency has written down a statement of its policy which constitutes a checklist that security personnel utilize in adjudications involving homosexual activity. I responded to Mr. O'Neil by indicating that there were many documents and memoranda which had been generated on the subject of homosexual conduct over the years but that there was no single comprehensive detailed document used by the Office of Security as a checklist in their adjudications. Messrs. [redacted] 25X1 concurred in my response and later, after the session, agreed with me that the general policy statement used by the Agency regarding sexual conduct in general was not the kind of specific checklist that Mr. O'Neil had queried us about.

4. [redacted] 25X1 and myself were advised by [redacted] 25X1 after the session had concluded that he believed the issue had been defused. Pursuant to the ground rules of the briefing the Committee staff had not gone into the merits of the John Doe litigation and only asked that we provide them with a copy of the complaint and the answer (whenever filed).

OGC:RBB:dlr  
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